

ARLINGTON FINANCE COMMITTEE
MINUTES OF MEETING
7:30PM O'NEIL ROOM COMMUNITY SAFETY BUILDING
2/6/12

ATTENDEES:

Bayer*	Padaria*	Jenkins*	White*	McKenna*
DeCoursey	Connors*	Simmons*	Gibian*	
Tosti*	Foskett*	Deyst*	Ronan	
Ferrara*	Beck*	Jones*	Deshler*	
Franclemont*	Howard*	Fanning*	Carman*	Turkall*

* Indicates present

VISITORS: Retirement Board Chair John Bilafer, Retirement Administrator Rich Greco
ACMI Video Camera

INTRODUCTIONS: Tosti welcomed new members Padaria, Beck, White, McKenna

ELECTION POLICY: Tosti reminded members to avoid visible participation in local election campaigns to preserve the FinCom's impartiality.

BUDGETS: All members have budget books. SubComs should meet w/ department heads as soon as possible. Total increase for each appointing authority should be capped at 3.5% after collective bargaining to stay within the plan.

NOTE: The articles in the preliminary Warrant received at the meeting (Ref 1) were not numbered. For the purposes of these minutes they are numbered sequentially as shown in Ref 1.

ART 44 Pg 10 COURT JUDGEMENT IN FAVOR OF MM TECH: Bilafer requested \$794,184 to pay MM Tech for the retirement costs associated with 13 non-teacher MM Tech employees who were working between 1973 and 1983. Bilafer and Greco explained that, during this time, these people were part of the Arlington non-contributory (pay-as-you-go) retirement system. They went on to explain, partly in response to questions, as follows: In 1983 MM Tech set up an independent retirement system. All the contributions made by the MM Tech employees with interest earned was transferred to the new MM Tech system. The monies contributed by MM Tech remained in the Arlington system. In the 1990s MM Tech requested that these funds be used to help pay retirement costs for the 13 former employees. MM Tech believes this is consistent with the established policy between retirement systems whereby when an individual has worked for more that one municipality, each municipality pays a portion of the individual's pension based on the fraction of that person's career spent in that municipality. Bilafer stated that the work of these particular employees did not benefit Arlington so that the established policy did not apply. The CRB challenged the MM Tech claim in Superior Court and received a negative judgement which was supported on appeal (No. 08-P-1491). The Town's legal department wasn't involved in this case. Bilafer stated that he would not be able to commit to maintain the 5% cap in the annual pension appropriation increase unless the Town assumed this payment. He did not say how the new obligation would affect the annual appropriation. Members asked Greco to document the situation in a detailed memo. Members have been emailed the judgement of the appeals court.

ART 59 Pg 13. PENSION ADJUSTMENTS: Bilafer explained this annual vote that establishes a floor on the pensions of certain retirees at 50% of the current salary of the position from which they retired.

ART 60 Pg 13 OPEB TRUST FUND: Bilafer requested that the full annual contribution be restored. He noted that this amount is inadequate. The CRB's accountant recommended \$1.5m/yr but has not yet included the GIC cost reduction.

REVIEW OF WARRANT: Tosti walked the committee through the warrant to identify articles that the FinCom will hear & report. Turkall will contact the sponsors & arrange a hearing schedule. Articles submitted by the Town Manager will be covered when he comes before the FinCom on other matters.

COMMITTEE: Next mtg 2/8. Ronan in Spalding. Cards only. Phelps at home. Cards only.

RESERVE FUND BALANCE: \$620,000

Peter Howard 2/7/12 Revised 2/8/12

cc FinCom Members, Town Web Site

Ref 1 Warrant For Annual Town Meeting Draft 2/6/12

**WARRANT FOR
ANNUAL TOWN MEETING
AND
SPECIAL TOWN MEETING**

REVISED DRAFT 2/6/12-2:30PM

ELECTION

Tuesday, April 10, 2012



**ANNUAL TOWN MEETING
Monday, April 23, 2012**

**SPECIAL TOWN MEETING
Monday, May 7, 2012**

TOWN OF ARLINGTON

TOWN WARRANT
THE COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss.

To the Constables of the Town of Arlington, in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Arlington qualified to vote in elections, to meet at the polling places designated for the several Precincts in said Town on

TUESDAY
THE TENTH OF APRIL 2012

at eight o'clock in the forenoon, to act on the following articles, namely:

ARTICLE 1 TO ELECT BY BALLOT:

- A) Two Selectmen for three years
- B) One Assessor for three years
- C) Two School Committee Members for three years
- D) One Member of the Arlington Housing Authority for two years (to fill a vacancy)

Also, in accordance with the provisions of Chapter 43A of the General Laws, the number of Town Meeting Members hereinafter specified:

PRECINCT 1 -	Four for three years; Four for two years; Four for one year;
PRECINCT 2 -	Four for three years; Four for two years; Four for one year;
PRECINCT 3 -	Four for three years; One for one year (to fill a vacancy);
PRECINCT 4 -	Four for three years; Four for two years; Four for one year;
PRECINCT 5 -	Four for three years; Four for two years; Four for one year;
PRECINCT 6 -	Four for three years; Four for two years; Four for one year;
PRECINCT 7 -	Four for three years; Four for two years; Four for one year;
PRECINCT 8 -	Four for three years; One for one year (to fill a vacancy);
PRECINCT 9 -	Four for three years; Four for two years; Four for one year;
PRECINCT 10 -	Four for three years;
PRECINCT 11 -	Four for three years; Four for two years; Four for one year;
PRECINCT 12 -	Four for three years;
PRECINCT 13 -	Four for three years; Four for two years; Four for one year;
PRECINCT 14 -	Four for three years;
PRECINCT 15 -	Four for three years; Four for two years; Four for one year;
PRECINCT 16 -	Four for three years; Four for two years; Four for one year;
PRECINCT 17 -	Four for three years; Four for two years; Four for one year;
PRECINCT 18 -	Four for three years; Four for two years; Four for one year;
PRECINCT 19 -	Four for three years; Four for two years; Four for one year;
PRECINCT 20 -	Four for three years; Four for two years; Four for one year;
PRECINCT 21 -	Four for three years.

For these purposes, the polls will be opened at eight o'clock A.M. and remain open until eight o'clock P.M., at each of the polling places designated, viz.:

- Precinct 1 Edith Fox Library, 175 Massachusetts Avenue (on corner of Cleveland Street)
- Precinct 2 Hardy School, entrance on Brooks Avenue
- Precinct 3 Edith Fox Library, 175 Massachusetts Avenue (on corner of Cleveland Street)
- Precinct 4 Hardy School, entrance on Brooks Avenue
- Precinct 5 Bishop School, entrance on Stowecroft Road
- Precinct 6 Hardy School, entrance on Brooks Avenue
- Precinct 7 Chestnut Manor, entrance on Chestnut Terrace
- Precinct 8 Town Hall, entrance on Massachusetts Avenue
- Precinct 9 Chestnut Manor, entrance on Chestnut Terrace
- Precinct 10 Town Hall, entrance on Massachusetts Avenue
- Precinct 11 Bishop School, entrance on Stowecroft Road
- Precinct 12 Brackett School, entrance on Eastern Avenue
- Precinct 13 Stratton School, entrance on Mountain Avenue
- Precinct 14 Brackett School, entrance on Eastern Avenue
- Precinct 15 Stratton School, entrance on Mountain Avenue
- Precinct 16 Dallin School, entrance on Florence Avenue
- Precinct 17 Stratton School, entrance on Mountain Avenue
- Precinct 18 Dallin School, entrance on Florence Avenue
- Precinct 19 Peirce School, entrance on Newland Road
- Precinct 20 Park Avenue Congregational Church, entrance on Paul Revere Road
- Precinct 21 Peirce School, entrance on Newland Road

You are also required to notify and warn the said inhabitants to meet at the Town Hall in said Town on Monday the 23rd day of April, 2012, at eight o'clock in the evening, at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members, in accordance with and subject to the referenda provided for by Chapter 43A of the General Laws.

ARTICLE 2

STATE OF THE TOWN ADDRESS

To hear the Chair of the Board of Selectmen review important events in the past year in Arlington and preview expectations for next year.

(Inserted at the request of Vision 2020)

ARTICLE 3

REPORTS OF COMMITTEES

To receive, hear, and act upon the reports of the Board of Selectmen, Finance Committee, Redevelopment Board, and other committees, commissions, and boards heretofore appointed, including, without limitation: Permanent Town Building Committee (April 23, 1969), Vision 2020 Standing Committee (June 8, 1992), Commission on Disability (May 3, 1993), School Facilities "Working Group" (May 4, 1994), Bylaw Recodification Study Committee (May 9, 1994), Affordable Housing Task Force (May 3, 1999), Zoning Bylaw Review Committee (May 12, 1999), Uncle Sam Committee (May 17, 1999), Fields and Playgrounds Task Force (May 19, 1999), Maintenance Study Committee (May 1, 2000), Alewife Brook Advisory Committee (May 15, 2000), Community Preservation Act Study Committee (May 21, 2001), Symmes Advisory Committee (May 21, 2001), Power Company Feasibility Committee (May 6, 2002), Community-Based Health Insurance Study Committee (April 30, 2003), Tree Committee (May 7, 2003), Post-

Employment Medical Benefits Committee (May 17, 2004), Trust Fund Policies Committee (May 17, 2004), Information Technology Advisory Committee (May 17, 2004), Field Maintenance and Users Fee Study Committee (May 26, 2004), Symmes Neighborhood Advisory Committee (September 27, 2004), Private Way Procedures Committee (May 18, 2005), Symmes Neighborhood Committee (May 18, 2005), Explore Options for Additional Burial Spaces Committee (April 26, 2006), State Aid Task Force Committee (April 26, 2006), Part Time Elected Officials' Benefits Study Committee (May 1, 2006); G.I.S Review Committee (May 10, 2006); Bus Shelters Committee (May 2, 2007), Outdoor Swimming Pool (May 21, 2008), Town Government Reorganization Committee (2009), or take any action related thereto.

(Inserted at the request of the Town Moderator)

ARTICLE 4

APPOINTMENT OF MEASURERS OF WOOD AND BARK

To choose and appoint all the usual Town Officers not hereinbefore mentioned, in such a manner as the Town may determine; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 5

ELECTION OF ASSISTANT TOWN MODERATOR

To elect a Town Meeting Member as Assistant Moderator for a term of one year, as provided in Title I, Article 1, Section 11.A, of the Bylaws; or take any action related thereto.

(Inserted at the request of the Town Moderator)

ARTICLE 6

ZONING BYLAW AMENDMENT/AMEND SIGN DEFINITION

To see if the Town will vote to amend Section 2.01 of the Zoning Bylaw to delete from the first sentence of the definition of "Sign" the words, "or is designed to attract the eye"; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE 7

ZONING BYLAW AMENDMENT/BUSINESS USE

To see if the Town will vote to amend the zoning bylaw to preserve business use in business districts by replacing, in certain instances, housing by special permit with mixed use by special permit; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE 8

ZONING BYLAW AMENDMENT/ACCESSORY APARTMENTS

To see if the Town will vote to amend the Zoning Bylaw to allow accessory apartments in single-family residences in the R0 and R1 district by special permit; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

ARTICLE 9

ZONING BYLAW AMENDMENT/MEMORIAL PARK

To see if the Town will vote to (1) amend Section 5.04, Table of Use Regulations, of the Zoning Bylaw by adding a new use numbered 2.09(a), "Burial and Immurement of Cremated Remains on Conservation Commission land with the approval of the Cemetery Commission and the Conservation Commission, provided that no structures will be erected or used to contain or cover any remains other than landscape-design elements such as low walls, flat paving work, or curbs," and "SP" under the "OS" column; and (2) amend Section 11.06, Environmental Design Review, of the Zoning Bylaw by adding the following words to the end of Section 11.06(b)(1)(g) ("Outdoor uses"): "including burial/immurement of cremated remains as provided in Section 5.04, Table of Use Regulations"; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 10

**ZONING BYLAW AMENDMENT/BANNERS FOR
HISTORIC SITES**

To see if the Town will vote to amend the Zoning Bylaw to permit placement and display of promotional, informational and/or directional signage relative to Town historic sites; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 11

**ZONING BYLAW AMENDMENT/COMPREHENSIVE
PERMIT APPLICATIONS**

To see if the Town will vote to amend Section 10.10 of the Zoning Bylaws with respect to procedures for hearing applications for comprehensive permits under G.L. c. 40B to require that hearing testimony be under oath and transcribed by a certified court reporter provided at the applicant's expense; or take any action related thereto.

(Inserted at the request of John Belskis and 10 registered voters)

ARTICLE 12

**VOTE-BYLAW AMENDMENT/HUMAN
RESOURCES DEPARTMENT**

To see if the Town will vote to (1) consolidate Town and School human-resource functions; and/or (2) to amend the Town Bylaws to facilitate such consolidation and/or to implement amendments to the Town Manager Act voted by 2011 Annual Town Meeting; or take any action related thereto.

(Inserted at the request of the Town Government Reorganization Committee)

✓ Town Manager Act 11/11 by legis

ARTICLE 13

BYLAW AMENDMENT/BUDGET SUBMISSIONS

To see if the Town will vote to amend the Town Bylaws relative to annual departmental budget estimates, including but not limited to Title I, Article 11 ("Program Budget"); or take any action related thereto.

(Inserted at the request of the Town Government Reorganization Committee)

✓ "

ARTICLE 14

**BYLAW AMENDMENT/MUNICIPAL
CHARGE LIENS-SCHOOL FEES**

To see if the Town will vote to amend Title I, Article 21 ("Municipal Charges Liens") of the Town Bylaws to allow for the imposition of municipal-charges liens on real property for unpaid school fees; or take any action related thereto.

(Inserted at the request of the School Committee)

✓ super.

ARTICLE 15

BYLAW AMENDMENT/SUBMISSION OF MEETING MINUTES

To see if the Town will vote to amend Title I, Article 18 ("Submission of Minutes"), of the Town Bylaws to delete the requirement that approved meeting minutes be placed on file at the Robbins Library; or take any action related thereto.

(Inserted at the request of the Equal Opportunity Advisory Committee)

ARTICLE 16

BYLAW AMENDMENT/TIME OF TOWN MEETING SESSIONS

To see if the Town will vote to amend Title I, Article 1, Section 1, to change the time of Town Meeting from 8:00 p.m. to 7:00 p.m.; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 17

BYLAW AMENDMENT/NEWSPAPER BINS

To see if the Town will vote to amend Title III, Article 1, Section 31 ("Newspaper bins"), of the Town Bylaws by requiring annual renewal of permits for newspaper bins or by making any other recommended change in the requirements of the Bylaw, or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Public Works)

ARTICLE 18

BYLAW AMENDMENT/HISTORIC DISTRICTS

To see if the Town will vote to amend Title VII, Article 4, Section 5 of the Town Bylaws ("Historic Districts") to clarify and /or simplify enforcement of the Town Bylaws or General Laws, Chapter 40C governing activities in Historic Districts; or take any action related thereto.

(Inserted at the request of the Historic District Commissions)

ARTICLE 19

PERSONNEL BYLAW AMENDMENT/VACATION CARRYOVER

To see if the Town will vote to amend the Personnel Bylaw with respect to the application of vacation carry-over restrictions to employees of the School Department; or take any action related thereto.

(Inserted at the request of the Superintendent of Schools)

ARTICLE 20

BYLAW AMENDMENT/TIME LIMITS FOR TOWN MEETING SPEAKERS

To see if the Town will vote to amend Title I, Article 1, Section 7(C), of the Town Bylaws ("Time Limits") to change maximum speaking time for Town Meeting debate; or take any action related thereto.

(Inserted at the request of Carl Wagner and 10 registered voters)

ARTICLE 21

BYLAW AMENDMENT/ELECTRONIC TOWN MEETING VOTING

To see if the Town will vote to amend the Town Bylaws to provide for electronic voting at Town Meeting; or take any action related thereto.

(Inserted at the request of Eric D. Helmuth and 10 registered voters)

ARTICLE 22

ESTABLISH COMMITTEE TO STUDY ELECTRONIC VOTING FOR TOWN MEETING

To see if the Town will vote to establish a committee of Town Meeting to be appointed by the Moderator to study electronic voting for Town Meeting, determine a charge to the committee as to its responsibility and duties; or take any action related thereto.

(Inserted at the request of Eric D. Helmuth and 10 registered voters)

ARTICLE 23

BYLAW AMENDMENT/SECOND WATER METERS

To see if the Town will vote to amend the Town Bylaws to allow for the installation of second water meters for non-domestic water usage, including but not limited to water used for lawns, gardens, swimming pools, and washing cars; or take any action related thereto.

(Inserted at the request of Joseph Carabello and 10 registered voters)

ARTICLE 24

BYLAW AMENDMENT/EVENING PARK USE

To see if the Town will vote to amend Section 8 ("Animal Control") of Article 1 ("Use of Areas Under Control of Park Department") of Title IV ("Public Areas") and Section 2 ("Leashing of Dogs") subsection D. of Article 2 ("Canine Control") of Title VIII ("Public Health and Safety") of

the Bylaws so as to allow additional off-leash canine recreation time during evening hours (6 p.m. until park close) in the parks under the control of the Parks and Recreation Commission in a similar manner and with similar oversight and restrictions as is currently allowed from park opening time until 9 a.m.; or take any action related thereto.

(Inserted at the request of Meghan Henning and 10 registered voters)

ARTICLE 25 **BYLAW AMENDMENT/LEAF BLOWER REGULATION**
To see if the Town will vote to amend the Town Bylaws to ban or otherwise regulate the use of gas powered leaf blowers, determine fine for violation of said bylaw; or take any action related thereto.

(Inserted at the request of Carol Band and 10 registered voters)

ARTICLE 26 **ESTABLISH COMMITTEE/BUILDING MAINTENANCE**
To see if the Town will vote to establish an advisory committee to the Town Manager to develop building maintenance policies and funding strategies therefore, or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 27 **TRANSFER OF REAL PROPERTY/GIBBS JUNIOR HIGH SCHOOL**

To see if the Town will vote to extend by three years until June 30, 2017, the current temporary placement of the care, custody, management and control of the William Gibbs Junior High School and its appurtenant land with the Town Manager; or take any action related thereto.

(Inserted at the request of the Arlington School Committee)

ARTICLE 28 **VOTE/STREET NAME STANDARDIZATION**
To see if the Town will vote to standardize the spelling of names of certain town ways; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 29 **VOTE/LOWER INTEREST RATE FOR PROPERTY TAX DEFERRALS FOR ELDERLY RESIDENTS**

To see if the Town will vote to further lower the rate of interest that accrues on property taxes deferred by eligible seniors under Clause 41A of Section 5 of Chapter 59 of the General Laws, which was set at a minimum six per cent by vote of 2006 Annual Town Meeting under Article 28; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 30 **VOTE/INCREASE ANNUAL INCOME LIMIT FOR ELDERLY RESIDENTS TO QUALIFY FOR PROPERTY TAX DEFERRALS**

To see if the Town will vote to raise income limits for elderly residents to qualify for property-tax deferral as provided in Clause 41A of Section 5 of Chapter 59 of the General Laws, to determine the source of funding for such increased exemptions, including making any necessary fund transfers; or take any action related thereto.

(Inserted by the Board of Selectmen)

**ARTICLE 31 HOME RULE LEGISLATION/INCREASE TAX EXEMPTIONS
FOR ELDERLY RESIDENTS**

To see if the Town will vote to request and authorize the Board of Selectman to file Home Rule Legislation with the General Court (1) to permit the Assessors to grant increased tax exemptions for elderly residents of the Town in accordance with Clause 41C of Section 5 of Chapter 59 of the General Laws; and/or (2) to raise income and asset limits to qualify for such exemptions, to determine the source of funding for such increased exemptions, including making any necessary fund transfers; or take any action related thereto.

(Inserted by the Board of Selectmen)

**ARTICLE 32 REPORT/IMPLEMENTATION OF CONSOLIDATED
TOWN-SCHOOL FINANCE DEPARTMENT**

To receive the report and recommendations of the Town Manager concerning delivery of Town and School finance functions as requested under Article 51 of the 2011 Annual Town Meeting, or take any action related thereto.

(Inserted at the request of the Town Manager)

**ARTICLE 33 HOME RULE LEGISLATION/MUNICIPAL FINANCE
DEPARTMENT**

To see if the Town will vote to authorize and request the Board of Selectmen to file Home Rule Legislation that would allow the creation of a consolidated department of municipal finance upon a positive vote of the electorate, or take any action related thereto.

(Inserted at the request of the Town Manager)

**ARTICLE 34 HOME RULE LEGISLATION/WIRELESS
ANTENNA LEASE PROCEEDS**

To see if the Town will vote to authorize and request the Board of Selectmen to file Home Rule Legislation to provide continued authority to set aside proceeds due the Town from wireless antenna leases and to use such proceeds for the maintenance and improvement of parks, playgrounds, or other open space; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 35 ACCEPTANCE/LOCAL OPTION TAXES

To see if the Town will vote to accept any local option taxes or other revenue raising options, which are made available to cities and towns through enactments of the legislature, by state regulation or court action; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 36 ENDORSEMENT OF CDBG APPLICATION

To see if the Town will vote to endorse the application for Federal Fiscal Year 2013 prepared by the Town Manager and the Board of Selectmen under the Housing and Community Development Act of 1974 (PL 93-383) as amended; or take any action related thereto.

(Inserted by the Board of Selectmen and at the request of the Town Manager)

ARTICLE 37 REVOLVING FUNDS

To see if the Town will vote to reauthorize revolving funds established under various previous votes of the Town, to hear or receive a report concerning the receipts and expenditures of same, to establish new revolving funds or to amend the votes under any previously adopted revolving

funds, to appropriate a sum of money to fund same, to determine how the money shall be raised or expended; or take any action related thereto.

(Inserted by the Board of Selectmen)

ARTICLE 38 **COLLECTIVE BARGAINING**

To see if the Town will vote to fund any fiscal items in the event that any are contained in collective bargaining agreements between the Town and the following named collective bargaining units, and to fund for non-union, M Schedule, and elected officials' salaries or fringe benefits, determine how the money shall be raised and expended; or take any action related thereto:

- A. Local 680, American Federation of State, County and Municipal Employees;
- B. Service Employees International Union (formerly NAGE);
- C. Robbins Library Professional Association;
- D. Local 1297, International Association of Firefighters;
- E. Arlington Patrolmen's Association;
- F. Arlington Ranking Police Officers' Association;
- G. M Schedule and non-union employees; and
- H. Full-time elected officials

(Inserted at the request of the Town Manager)

ARTICLE 39 **POSITIONS RECLASSIFICATION**

To see if the Town will vote to make additions, deletions and/or modifications to the Classification and Pay Plan, appropriate a sum of money to fund same if necessary, determine how the money will be raised and expended; or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Personnel)

ARTICLE 40 **APPROPRIATION/TOWN BUDGETS**

To see if the Town will vote to make appropriations to defray Town obligations, liabilities, outlay and expenses and especially for or relating to all or any of the boards, departments, purposes and matters hereinafter mentioned, and to provide for the disposal of motor vehicles and other personal property belonging to the Town, determine how the money shall be raised and expended; or take any action related thereto: Finance Committee, Board of Selectmen, Town Manager, Personnel, Comptroller, Information Technology, Town Treasurer and Collector of Taxes, Assessors, Legal and Workers' Compensation, Town Clerk, Registrars, Planning and Community Development, Redevelopment Board, Parking, Zoning Board of Appeals, Public Works, Cemeteries, Community Safety, School Department, Libraries, Human Services, Insurance, Non-Contributory Pensions, Contributory Pensions, Town Debt and Interest, Reserve Fund, and/or any other Town Departments, Boards, Commissions or Committees, Water and Sewer Enterprise Fund, Recreation Enterprise Fund, Council on Aging Transportation Enterprise Fund, Veterans' Memorial Rink Enterprise Fund, and Youth Services Enterprise Fund.

(Inserted by the Board of Selectmen and at the request of the Town Manager)

ARTICLE 41 **CAPITAL BUDGET**

To see if the Town will vote to appropriate a sum of money to defray the expense of purchasing, leasing, or bonding of capital equipment, infrastructure, buildings or other projects of the Town or to acquire real property for municipal purposes; to appropriate a sum of money to fund previously incurred or future Town debt, to acquire land for said projects where necessary by purchase, eminent domain taking or otherwise, determine how the money shall be raised including the

possibility of borrowing any or all of the same, or the transfer of funds from any previous appropriation, determine how such money shall be expended; or take any action related thereto.

(Inserted by the Board of Selectmen and at the request of the Town Manager and the Capital Planning Committee)

ARTICLE 42 APPROPRIATION/FINANCING OF CONSTRUCTION OR RECONSTRUCTION OF SEWERS AND SEWERAGE FACILITIES

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of sewers and sewerage facilities for inflow/infiltration reduction or system rehabilitation, including costs incidental and related thereto, and to determine how the appropriation shall be raised or expended, including the possibility of borrowing all or some of same; or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Public Works)

ARTICLE 43 APPROPRIATION/FINANCING OF CONSTRUCTION OR RECONSTRUCTION OF WATER MAINS AND WATER FACILITIES

To see if the Town will vote to appropriate a sum of money for the purpose of financing the construction or reconstruction of water mains and water facilities, including costs incidental and related thereto, and to determine how the appropriation shall be raised and expended including the possibility of borrowing all or some of same; or take any action related thereto.

(Inserted at the request of the Town Manager and the Director of Public Works)

ARTICLE 44 APPROPRIATION/COURT JUDGMENT IN FAVOR OF MINUTEMAN REGIONAL VOCATIONAL TECHNICAL SCHOOL DISTRICT

To see if the Town will vote to appropriate a sum of money to satisfy a judgment in the case of the Arlington Contributory Retirement Board v. Public Employee Retirement Administration Commission (PERAC) and Minuteman Regional Vocational Technical School District Retirement Board (Massachusetts Appeals Court No. 2008-P-1491), requiring the Arlington Contributory Retirement System to pay the Minuteman Retirement System the sum of \$794,184.27, the proportionate cost of pensions due or payable to employees of the Minuteman Vocational Technical School District for the ten year period from July 1, 1973 to September 12, 1983, determine how the money shall be raised and expended to fund this judgment; or take any action related thereto.

(Inserted at the request of the Contributory Retirement Board)

ARTICLE 45 APPROPRIATION/MINUTEMAN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL

To see if the Town will vote to appropriate a sum of money for the purpose of paying the Town's apportioned share of the operating and maintenance costs, including capital costs, of the Minuteman Regional Vocational Technical High School, determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of Minuteman Regional Vocational School District Committee)

ARTICLE 46 VOTE/ESTABLISH MINUTEMAN REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL STABILIZATION FUND

To see if the Town will approve the establishment of a Stabilization Fund by the Minuteman Regional Vocational School District to pay costs of capital repairs, renovations, and improvements to the regional district school and its associated facilities, in accordance with the provisions of Chapter 71, Section 16G1/2 of the General Laws, or take any other action relative thereto.

(Inserted at the request of Minuteman Regional Vocational School District Committee)

ARTICLE 47 APPROPRIATION/SPECIAL EDUCATION RESERVE ACCOUNT

To see if the Town will vote to transfer FY12 unspent special-education funds to the Special Education Reserve Account (No. 0751); or take any action related thereto.

(Inserted at the request of the Arlington School Committee)

ARTICLE 48 APPROPRIATION/COMMITTEES AND COMMISSIONS

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of various committees, commissions, and boards of the Town, determine how the money shall be raised; provided that any funds appropriated hereunder shall remain under the jurisdiction of said entities until expended at their direction, unless otherwise appropriated by the Town Meeting; the entities included hereunder, without limitation, are: Arlington Historical Commission, Arlington Recycling Committee, Avon Place Historic District Commission, Broadway Historic District Commission, Central Street Historic District Commission, Mt. Gilboa/Crescent Hill Historic District Commission, Jason/Gray Historic District Commission, Pleasant Street Historic District Commission, Russell Historic District Commission, Conservation Commission, Capital Planning Committee, Commission on Disability, Personnel Board, Public Memorial Committee, Human Rights Commission, Scenic Byway/Tourism/Economic Development Committee and any other Town Committee or commission; or take any action related thereto.

(Inserted at the request of the Town Moderator and the Finance Committee)

ARTICLE 49 APPROPRIATION/TOWN CELEBRATIONS

To see if the Town will vote to appropriate a sum or sums of money to be expended under the direction of the Town Manager for the following celebrations and memorials, determine how the money shall be raised and expended; or take any action related thereto:

Veterans' Day Parade

Memorial Day Observation and the Patriots' Day Celebration

Display of American Flags on Massachusetts Avenue

Placing of American Flags on the Graves of Veterans

(Inserted at the request of the Town Manager)

ARTICLE 50 APPROPRIATION/MISCELLANEOUS

To see if the Town will vote the following:

Legal Defense – To appropriate a sum of money to replenish the Legal Defense Fund established under Article 13, Section 5 of Title 1 of the Town Bylaws, Out-Of-State Travel – To appropriate a sum of money for expenses incurred outside the Commonwealth and as described in the General Laws, Chapter 40, Section 5, Paragraph 34, said appropriation to be expended under the direction of the Board of Selectmen and the Town Manager, Indemnification of Medical Costs, to appropriate a sum of money in accordance with the provisions of Chapter 41, Section 100B of the General Laws, to indemnify certain retired Police Officers and Firefighters for all reasonable medical and surgical expenses which they incurred, determine how the money will be raised and expended; or take any action related thereto.

(Inserted at the request of the Town Manager)

ARTICLE 51

APPROPRIATION/WATER BODIES FUND

To see if the Town will appropriate a sum of money to the Town's Water Bodies Fund for the maintenance, treatment and oversight of all the Town's water bodies, said sum (\$50,000) to be raised by the general tax and expended under the direction of the Town Manager who will also report to Town Meeting on the status of the fund; or take any action related thereto.

(Inserted at the request of the Vision 2020 Standing Committee, its Environment Task Group's Committees (Spy Pond, Reservoir, and Sustainable Arlington,) and the Conservation Commission)

ARTICLE 52

APPROPRIATION/SIGNAGE FOR HISTORIC SITES

To see if the Town will appropriate a sum of money for the acquisition and placement of promotional, informational and/or directional signage relative to four historic Town sites: the Cyrus E. Dallin Art Museum, the Jason Russell House, the Uncle Sam Memorial Statue, and the Old Schwamb Mill, said sum (\$20,000) to be raised by the general tax and expended under the direction of the Town Manager; or take any action related thereto.

(Inserted at the request of the Arlington Tourism and Economic Development Committee)

ARTICLE 53

**APPROPRIATION/ELECTRONIC TOWN MEETING
VOTING EQUIPMENT**

To see if the Town will vote to appropriate a sum of money for the purchase or lease of electronic voting equipment for use at Town Meeting, determine how said sum will be raised and expended; or take any action related thereto.

(Inserted at the request of Eric D. Helmuth and 10 registered voters)

ARTICLE 54

APPROPRIATION/PAID PARKING STUDY

To see if the Town will vote to appropriate funds for the investigation and implementation of paid parking ("parking meters" or similar instruments) in select currently marked, short term parking spaces, determine how said funds shall be raised and expended; or take any action related thereto.

(Inserted at the request of Carl Wagner and 10 registered voters)

ARTICLE 55

**APPROPRIATION/HARRY BARBER COMMUNITY
SERVICE PROGRAM**

To see if the Town will vote to appropriate the sum of \$3750.00 for the Harry Barber Community Service Program of the Council on Aging, determine how the money will be raised and expended; or take any action related thereto.

(Inserted at the request of the Council on Aging)

ARTICLE 56

APPROPRIATION/UNCLE SAM COMMITTEE 2012

To see if the Town will vote to appropriate \$1500.00 for expenses related to the upgrade of Uncle Sam Park, signage, lighting, and tourist signboard and the Uncle Sam 2012 Bicentennial groundbreaking celebration; or take any action related thereto.

(Inserted at the request of the Uncle Sam Committee)

ARTICLE 57

APPROPRIATION/ARLINGTON SENIOR CENTER

To see if the Town will vote to appropriate a sum of money for the purpose of replacing some of the furniture and the carpeting at the Arlington Senior Center, said sum to be raised by general tax or available funds in the treasury; or take any action related thereto. ✓

(Inserted at the request of Maureen Jackson and 10 registered voters)

ARTICLE 58

**APPROPRIATION/ARLINGTON HIGH
SCHOOL CONCUSSION REDUCTION PROGRAM**

To see if the Town will vote to appropriate \$25,000 to defray the expense of purchasing, leasing, or bonding of capital equipment to reduce the likelihood of traumatic brain injuries in students participating in athletics at the Arlington Public High School for helmets, pads and baseline testing software; or take any action related thereto. ✓
Harrington + Syron

(Inserted at the request of Stephen Harrington and 10 registered voters)

ARTICLE 59

**APPROPRIATION/PENSION ADJUSTMENT FOR FORMER
TWENTY-FIVE YEAR ACCIDENTAL DISABILITY EMPLOYEES**

To see if the town will vote to appropriate a sum of money to implement the provisions of Chapter 32 of Massachusetts General Laws Section 90A, 90C, 90D and 90E, pursuant to which the Town pays up to fifty percent of the maximum salary as set forth in the Compensation and Pay Plan for the position formerly held by retired employees with twenty-five or more years of service to the Town and those employees who retired under an Accidental Disability; provided, however, that no one who retires after May 1, 2010 shall be eligible under this vote unless they qualify for at least a fifty percent pension, without this vote upon their retirement; this adjustment to be paid to those who qualify and administered in accordance with prior practice and understanding relating to the retirement allowance of said retirees; determine how the money shall be raised and expended; or take any action related thereto. *Retiree Board*

(Inserted at the request of the Contributory Retirement Board)

ARTICLE 60

**APPROPRIATION/OTHER POST EMPLOYMENT
BENEFITS (OPEB) TRUST FUND**

To see if the Town will vote to accept into the Other Post Employment Benefits (OPEB) Trust Fund, established by Chapter 161 of the Acts of 2005, an appropriation of funds and/or the transfer of additional monies that the Town may deem advisable from other sources, including any monies previously deposited into any of the Town's stabilization funds for this purpose, in order to administer and fund its OPEB obligation as described in the said Chapter 161 of the Acts of 2005; determine how the monies shall be raised and expended; or take any action related thereto. *Retiree Board*

(Inserted at the request of the Contributory Retirement Board)

ARTICLE 61

APPROPRIATION/OVERLAY RESERVE ✓

To see if the Town will vote to appropriate a sum of money from previous years overlay reserve surplus accounts, determine to what purpose this appropriation shall be made; or take any action related thereto.

(Inserted at the request of the Finance Committee) ✓

ARTICLE 62

APPROPRIATION/STABILIZATION FUND

To see if the Town will make an appropriation to the Long Term Stabilization Fund created in accordance with the provisions of the General Laws, Chapter 40, Section 5B, as amended, or other

appropriate provisions of law, determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 63 **APPROPRIATION/OVERRIDE STABILIZATION FUND**

To see if the Town will make an appropriation to the Override Stabilization Fund in accordance with the Provisions of the General Laws, Chapter 40, Section 5B, as amended, or other appropriate provisions of law, determine how the money shall be raised and expended; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 64 **APPROPRIATION/TIP FEE STABILIZATION**

To see if the Town will vote to make an appropriation/transfer from the Tip Fee Stabilization Fund established by Chapter 8 of the Acts of 1998 for any purpose allowed by such act, to determine how the money will be raised and expended; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 65 **TRANSFER OF FUNDS/CEMETERY**

To see if the Town will vote to transfer a sum of money to the Cemetery Commissioners for the improvement of Town cemeteries, said sum shall be taken from the Mt. Pleasant Cemetery "Sale of Lots and Graves or Perpetual Care Funds"; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 66 **USE OF FREE CASH**

To see if the Town will vote to authorize the taking of a sum of money voted for appropriations heretofore made at the Town Meeting under the Warrant and not voted to be borrowed from available funds in the Treasury, and authorize the Assessors to use free cash in the Treasury to that amount in the determination of the tax rate for the Fiscal Year beginning July 1, 2012; or take any action related thereto.

(Inserted at the request of the Finance Committee)

ARTICLE 67 **VOTE/FLOOD STUDY INTERLAKEN NEIGHBORHOOD**

To see if the Town will vote to request that the Town of Winchester complete a flood study of the Mystic Lakes and Aberjona River in the vicinity of the Interlaken Neighborhood to evaluate the impact of their widening and deepening the Aberjona River on the FEMA Flood Insurance Rate Maps; or take any action related thereto.

(Inserted at the request of Simon Verghese and 10 registered voters)

ARTICLE 68 **VOTE/GEOGRAPHIC INFORMATION SYSTEM (GIS)
CHAPTER 40B STUDY COMMITTEE**

To see if the Town will vote to implement (per Title 1, Article 1, Section 9, of the Town Bylaws) the vote of the 2006 Annual Town Meeting under Warrant Article 55 to form the committee voted in order to accurately determine the Town's status as to its 1.5% land area exemption for G.L. c. 40B implications; or take any action related thereto.

(Inserted at the request of John Belskis and 10 registered voters)

ARTICLE 69 **VOTE/RESCIND EMINENT DOMAIN AUTHORITY-
MASSACHUSETTS AVENUE SIDEWALKS**

To see if the Town will vote to rescind its authorization for the Board of Selectmen to acquire by eminent domain, purchase, or other means, land interests for the purpose of Mass DOT project 604687 on Massachusetts Avenue, authorized by vote of Article 7 of the Warrant for the Special Town Meeting of the Town of Arlington at the session held on May 9, 2011; or take any action related thereto. Bo

(Inserted at the request of Mark H. Kaepplein and 10 registered voters)

ARTICLE 70

**VOTE/ADD BALLOT QUESTION ON MASS. AVE.
TRAVEL LANE COUNT**

To see if the Town will vote that the Board of Selectmen of the Town of Arlington shall cause to be placed on a town election ballot prior to May 2013 for following question: Bo

‘Shall the Board of Selectmen reduce shared vehicle travel lanes from the currently practiced four lanes to three or two lanes on Massachusetts Avenue from the Cambridge City line approximately one mile westerly to Pond Lane?’

YES _____
NO _____

or take any action related thereto.

(Inserted at the request of Mark H. Kaepplein and 10 registered voters)

ARTICLE 71

HOME RULE LEGISLATION/TIMOTHY EDWARD FLOOD

To see if the Town will vote to request and authorize the Board of Selectmen to file Home Rule Legislation with the General Court so as to permit Timothy Edward Flood of 114b Sunnyside Avenue to be certified for appointment as a Police Officer in the Town of Arlington, notwithstanding the fact that the Town has not accepted the provisions of Section 61A and 61B of Chapter 31 of the General Laws and further notwithstanding the fact that Mr. Flood’s age is in excess of 32 years; or take any action related thereto. Bo

(Inserted at the request of Timothy Edward Flood and 10 registered voters)

ARTICLE 72

**BYLAW AMENDMENT/RESTRICTIONS ON THE USE OF
OUTSIDE COUNSEL FOR ZONING AND LAND USE MATTERS**

To see if the Town will vote to adopt a bylaw to prohibit municipal employees, when acting on behalf of the Town, from obtaining legal opinions related to zoning or land use matters from attorneys who represent clients before the Arlington Redevelopment Board, the Arlington Zoning Board of Appeals, or the Arlington Conservation Commission. Notwithstanding the above, this prohibition shall not apply to such opinions when provided to public bodies of the Town for consideration at public meetings or public hearings if the opinion and its authorship are disclosed to the public, and the attorney receives no compensation from the Town for said opinion; or take any action related thereto. Bo

(Inserted at the request of Christopher P. Loreti and 10 registered voters)

ARTICLE 73

**RESOLUTION/US SUPREME COURT DECISION IN
CITIZENS UNITED v. FEDERAL ELECTION COMMISSION**

To see if the Town will vote to adopt a resolution regarding the US Supreme Court decision in Citizens United v. Federal Election Commission; or take any action related thereto. Bo

(Inserted at the request of Richard Smith and 10 registered voters)

....(SIGNED)

....A true copy.

Attest:

(SIGNED)

CLARISSA ROWE
KEVIN F. GREELEY
DIANE M. MAHON
ANNIE LACOURT
DANIEL J. DUNN

SELECTMEN
OF THE
TOWN
OF
ARLINGTON

RICHARD BOYLE
CONSTABLE

**Warrant For
SPECIAL TOWN MEETING
Monday, May 7, 2012**

**TOWN WARRANT
COMMONWEALTH OF
MASSACHUSETTS**

Middlesex, ss.

To the Constables of the Town of Arlington, in said County:

GREETINGS

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of the Town of Arlington to meet in the

**TOWN HALL
In said Town on
MONDAY THE 7TH DAY OF MAY, 2012**

At 8:00 P.M., at which time and place the following articles are to be acted upon and determined exclusively by Town Meeting Members, in accordance with, and subject to, the referenda provided by Chapter 43A of the General Laws.

ARTICLE 1 **REPORTS OF BOARDS AND COMMITTEES**

To receive, hear, and act upon reports of boards and committees; or take any action related thereto.
(Inserted by the Board of Selectmen)

ARTICLE 2 **AMENDMENTS TO FY2012 BUDGETS**

To see if the Town will vote to revise various FY2012 appropriations previously voted by the 2011 Annual Town Meeting; or take any action related thereto.

(Inserted at the request of the Town Manager)

Hereof, fail not, and make due return of the Warrant, with your doings thereon, to the Town Clerk, on or before said day and hour of meeting.

....(SIGNED)
....A true copy.
Attest:

(SIGNED)
CLARISSA ROWE
KEVIN F. GREELEY
DIANE M. MAHON
ANNIE LACOURT
DANIEL J. DUNN

SELECTMEN
OF THE
TOWN
OF
ARLINGTON

RICHARD BOYLE
CONSTABLE

HOW TO VOTE BY ABSENTEE BALLOT

Reasons for voting absentee

You may vote absentee if you are registered and will be unable to vote at the polls on Election Day because of

Absence from the Town
Physical disability
Religious beliefs

Illegal absentee voting is punishable by a fine of up to \$10,000 and up to five years in prison.

Applying for an absentee ballot

You must apply for an absentee ballot from the Town Clerk no later than noon of the day before the election. Applications may be mailed or hand delivered and you may use any form of written communication (letter or postcard) or the official application form.

Include on the application

Your name as registered
Your registration address
Precinct, if you know it
The precise address to which you wish the ballot sent
Your own signature

Requesting to vote by mail

A ballot will be sent to any address you specify including your own home. Be sure to apply early because the ballots must be sent by mail and may be returned by mail or hand delivered.

Requesting to vote in person

If you prefer, you may request to vote in person before Election Day. You may vote at the Town Hall before Election Day at a time arranged with the Clerk, but application for your ballot must be made no later than noon of the day before the election. A voter may apply for an absentee ballot and then vote over-the-counter during the same visit.

Applying to vote if you are absent from the state, in the armed services or a prisoner

Registered and unregistered residents of Massachusetts outside the state and residents on active duty in the armed forces and merchant marine and their spouses or dependents, and prisoners, may vote absentee. They may request an absentee ballot from the Town where they legally reside (if outside the U.S., where they resided last before leaving). In addition, a close relative may apply on their behalf in person at the Town Clerk's Office.

A parent of a registered voter who is a student at a Massachusetts college or university may apply for an absentee ballot on the student's behalf to the Town Clerk where the student is registered.

In all cases, unregistered voters must register in person when they return to the state, since this does not establish permanent registration.

What if I am permanently physically disabled?

If you are permanently physically disabled and cannot cast your vote at the polling place, you may file a letter from your physician with the Town Clerk, stating that you are permanently unable to cast your vote at the polling place because of physical disability. A completed application for an absentee ballot, for you to sign and return, must be mailed by the Town Clerk to you at least 28 days before every primary and election.

NOTE: Voters who are admitted to a health care facility after noon of the fifth day before an election may apply for an absentee ballot up until the polls close on the day of the election (rather than noon the day before the election) and must designate a person to hand deliver and return the absentee ballot.